

four hundred seventy-four million, five hundred six thousand, four hundred fourteen dollars and fifty cents) during the past 10 years.

NOMINATION OF RICHARD HOLBROOKE

Mr. GRASSLEY. Mr. President, I am announcing, today, my intention to place a hold on the nomination of Mr. Richard Holbrooke to be the next U.S. Ambassador to the United Nations. I would like to explain for the benefit of my colleagues why I have done so.

First, let me explain that I have nothing against Mr. Holbrooke. He is simply caught in the middle. The issue can be cleared up very, very quickly, if reasonable heads come together.

At issue is the outrageous treatment by the State Department of one of its employees. Her name is Linda Shenwick. She is Counselor for Resources Management at the United States U.N. Mission. She is the Mission's expert on financial and management matters.

Ms. Shenwick has been instrumental in bringing to light many of the waste and mismanagement issues associated with the U.N. She's been an invaluable source of information and insight for the people's branch of government. Some people in the State Department, apparently all the way to the top, don't much care for Ms. Shenwick's candor with Congress. And so they painted a big, ol' target on Ms. Shenwick, and have come after her, relentlessly.

You see, Ms. Shenwick is guilty of committing the crime of telling the truth. And when you commit truth, you're history in the State Department.

Here is how the State Department has treated Ms. Shenwick. I'd like my colleagues to know this, so they can judge for themselves whether this is conduct befitting such a grand institution as the State Department.

Ms. Shenwick has been "Felix Bloched." You remember Felix Bloch. He was investigated while under suspicion for espionage. He was put on non-duty status while he was investigated. That's now what they've done to Ms. Shenwick, effective last Friday at 5:30 pm.

That's not all. Before kicking her out of her office last week, she was not allowed to talk to other employees. They could not talk to her. She had to keep her door closed at all times. She could not access the main computer in the office. They forced her to fly to Washington, with little or no notice, for meetings that didn't occur.

At the end of this month, Ms. Shenwick must report to a new job in Washington, in an area in which she has no background. They know that she wants to stay in New York. They seem determined to break this woman down. So far, they have not succeeded.

Mr. President, I have a long-standing practice of taking up the cause of witnesses before the Congress who have done the right thing at great risk to their careers. Before I do this, I must make sure the individual has sufficient credibility, and is being retaliated against for their disclosures in the public interest. I have spoken with my colleagues on both sides of the aisle, and on both sides of Capitol Hill. They all agree she has credibility, and has provided solid, accurate information to Congress. It is information that has led to management reforms and more effective controls of the U.N. budget. No one has ever successfully challenged her information. Instead, the Department has attacked her.

In all the whistleblower cases I have worked over the years, this one stands out. I have never seen such a blatant, raw attempt to harass and silence a whistleblower who simply told the truth. Can the truth be that offensive to the State Department?

My action to put a hold on the Holbrooke nomination is a contest over which message will prevail. By its actions, the message the State Department wants to send is fear. Every other employee of the USUN Mission has their eyes firmly fixed on this case. The State Department wants them to know, if they commit truth like Ms. Shenwick did, that they, too, will get the "Felix Bloch Treatment." I guess committing truth is just as bad as committing espionage.

Mr. President, It's my hope that we in this body will intercept that message, and send one of our own. The people's right to know the truth is what we care about. And those who help Congress know the truth will be protected, not punished.

Until this month, Ms. Shenwick and her attorney had been negotiating with the State Department to find her a new job in New York. There was some progress, but the Department started negotiating in bad faith. The talks broke down, and Ms. Shenwick is being transferred to Washington at the end of the month, to a job for which she has no background.

I am willing to release my hold of the nomination of Mr. Holbrooke forthwith. But before that happens, fairness and civility must prevail. Good faith negotiations must re-start, and an agreement must be reached by both parties. This could happen within 24 hours, if desired.

In 1997, another member of this body put a similar hold on a nominee until the Department resolved Ms. Shenwick's situation. The Secretary agreed to resolve the issues and keep Ms. Shenwick at the USUN Mission. The hold was lifted. But instead of resolving the matter, the harassment continued. And it continues to this day.

That will not happen again. The hold gets lifted when there's an agreement in writing.

Mr. President, I hope that my colleagues appreciate the reasonableness of my position, and the importance of the message that I am asking this body to send. I hope I can count on their support in the public's best interest. And we can then allow Mr. Holbrooke to get on with his important work in New York.

EDUCATION EXPRESS ACT OF 1999 (ED-EXPRESS)

Mr. FRIST. Mr. President, yesterday, Senator DOMENICI and I introduced the Education Express Act (Ed-Express). This legislation builds on the success of the Ed-Flex bill, which earlier this year passed the Senate and House of Representatives by overwhelming margins, and was signed into law in April.

It is critical that this Congress builds on Ed-Flex's themes of flexibility and accountability. As we consider the Reauthorization of the Elementary and Secondary Education Act, we must continue the push to cut red tape and remove overly-prescriptive federal mandates on federal education funding. At the same time, we must hold states and local schools accountable for increasing student achievement.

Flexibility, combined with accountability, must be our objective. The end result of our reform effort must spark innovation—innovation designed to provide all students a world-class education.

This need for flexibility and accountability in education was repeated again and again in hearings held by the Senate Budget Committee's Task Force on Education. The Task Force, on which Senator DOMENICI serves as an Ex-officio member, and I serve as the chairman, issued a report entitled "Prospects for Reform: The State of Education and the Federal Role."

In this report the Task Force made several recommendations of ways to improve the federal education effort. The number one recommendation noted, "In light of the continuing proliferation of federal categorical programs, the Task Force recommends that federal education programs be consolidated. This effort should include reorganization at the federal level, and block grants for the states. The Task Force particularly favors providing states flexibility to consolidate all federal funds into an integrated state strategic plan to achieve national educational objectives for which the state would be held accountable."

The Ed-Express bill is the legislative response to this recommendation. Specifically, \$37 billion over the next five years would be provided from the federal government as part of a larger consolidation of duplicative and limiting categorical programs into a much

more streamlined and direct funding stream to states and localities for a variety of education purposes.

We have a national emergency in education. To address this crisis, the federal government will commit additional resources for a five-year period in order to improve student achievement and the quality of our teaching force.

This would infuse significant funds to the hands of parents, communities, and local/State governments to improve the education achievement of students.

Under this plan, States may elect to receive elementary and secondary education funding by "Direct Check." Incentives such as replacing existing burdensome federal categorical programs are provided to encourage States to choose the direct check option. A State, however, may choose to remain in the categorical system.

In the spirit of Ed-Flex, this legislation that we introduced also looks to the Governors for leadership. States which opt for the Direct Check Flexibility will receive their education funding upon the adoption of a State plan written by the governor that outlines the goals and objectives for the funds.

The Nation's governors are leading the way for education reform in this country. It was the Nation's Governors who helped bring about the successful passage of Ed-Flex. We at the Federal level must do all we can to advance the reform efforts taking place at the State and local levels.

Ed-Express establishes a Challenge Fund, a Teacher Quality Fund, and an Academic Opportunity Fund.

Challenge Funds would be provided to States and localities with the flexibility to design and implement programs to improve student learning. These funds may be used to purchase new books, hire teachers, promote character education, provide tutoring services for students, and for a variety of other education initiatives.

Teacher Quality Funds may be used for such activities as providing professional development opportunities for teachers, merit pay, increasing teachers' salaries, and alternative certification programs.

Academic Opportunity Funds may be used to provide governors who choose the Direct Check option with the ability to reward school districts and schools that meet or exceed state-defined goals and performance objectives for student achievement and teacher quality.

The need for a consolidated Federal education effort has never been greater. I think that we are all familiar with the statistics that show our students are not able to keep up academically with their international counterparts. In fact, the longer a student stays in an American school the more his/her academic skills deteriorate. We must draw upon innovative methods to correct

this problem so that our children will be able to compete in the global economy.

As a scientist, I know the value of looking for new ways to solve problems, and America has long had a proud tradition to innovation. Ed-Express will create a whole new generation of inventors in the field of education—in particular, Governors, local school boards, teachers, and parents will be better able to put good ideas into practice.

REPORT ON THE NATIONAL EMERGENCY CAUSED BY THE LAPSE OF THE EXPORT ADMINISTRATION ACT OF 1979 FOR THE PERIOD AUGUST 19, 1998 THROUGH FEBRUARY 19, 1999—MESSAGE FROM THE PRESIDENT—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month periodic report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 24, 1999.

REPORT OF THE PROTOCOL AMENDING THE AGREEMENT FOR COOPERATION CONCERNING CIVIL USES OF ATOMIC ENERGY BETWEEN THE UNITED STATES AND CANADA—MESSAGE FROM THE PRESIDENT—PM 41

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123b. and 123d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b) and (d)), the text of a proposed Protocol Amending the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada signed at Washington June 15, 1955, as amended. I am also pleased to transmit my written approval, authorization, and deter-

mination concerning the Protocol, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Protocol. (In accordance with section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), I have submitted to the Congress under separate cover a classified annex to the NPAS, prepared in consultation with the Director of Central Intelligence, summarizing relevant classified information.) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

The proposed Protocol has been negotiated in accordance with the Atomic Energy Act of 1954, as amended, and other applicable law. In my judgment, it meets all statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Protocol amends the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada in two respects:

1. It extends the Agreement, which would otherwise expire by its terms on January 1, 2000, for an additional period of 30 years, with the provision for automatic extensions thereafter in increments of 5 years each unless either Party gives timely notice to terminate the Agreement; and

2. It updates certain provisions of the Agreement relating to the physical protection of materials subject to the Agreement.

The Agreement itself was last amended on April 23, 1980, to bring it into conformity with all requirements of the Atomic Energy Act and the Nuclear Non-Proliferation Act of 1978. As amended by the proposed Protocol, it will continue to meet all requirements of U.S. law.

Canada ranks among the closest and most important U.S. partners in civil nuclear cooperation, with ties dating back to the early days of the Atoms for Peace program. Canada is also in the forefront of countries supporting international efforts to prevent the spread of nuclear weapons to additional countries. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the IAEA for the application of full-scope safeguards to its nuclear program. It also subscribes to the Nuclear Supplier Group (NSG) Guidelines, which set forth standards of the responsible export of nuclear commodities for peaceful use, and to the Zangger (NPT Exporters) Committee Guidelines, which oblige members to require the application of IAEA safeguards on nuclear exports to nonnuclear weapon states. It